

REMARKS

Claims 1-43 are pending. Claims 7-15, 20, 25, 31, 35, and 43 are currently withdrawn from consideration.

In the Office Action of February 26, 2003, claims 1-6, 16-19, 21-24, 26-30, 32-34 and 36-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,821,138 to Yamazaki (Yamazaki '138) in view of admitted prior art and U.S. Patent No. 5,757,456 to Yamazaki (Yamazaki '456). Additionally, claims 26-30 and 32-34 are rejected under 35 U.S.C. 112(2) as being indefinite.

With regard to preliminary matters, Applicant thanks the Examiner for indicating that the drawings filed on January 11, 2001 are acceptable, and for acknowledging Applicant's claim to foreign priority under 35 U.S.C. 119.

Applicant further thanks the Examiner for considering the references submitted as part of the Information Disclosure Statements that were submitted on January 11, 2001 (Paper No. 5) and on December 12, 2002 (Paper No. 9), as indicated by the initialed copies of the Forms PTO-1449 included with the pending Office Action.

In this regard, however, Applicant notes that the Information Disclosure Statement filed electronically on June 17, 2002, is not included with the pending Office Action. Applicant includes herewith a copy of print-outs of the electronic transmission of the IDS, as well as the date-stamped acknowledgment of receipt issued by the U.S. Patent Office, and requests that the Examiner indicate consideration of the listed references by returning an initialed PTO-Form 1449 along with the next official communication issued in this application.

Claim 36 is hereby amended to correct an informality.

Regarding the rejection of claims 26-30 and 32-34 under 35 U.S.C. 112(2), Applicant respectfully submits that the amendment to independent claim 26 is sufficient to remove this rejection. Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. 112(2) of independent claim 26, as well as of dependent claims 27-30 and 32-34, be withdrawn.

Regarding the rejection of claims 1-6, 16-19, 21-24, 26-30, 32-34 and 36-42 under 35 U.S.C. 103(a) as being unpatentable over Yamazaki '138 in view of admitted prior art and Yamazaki '456, Applicant respectfully submits that the proposed combination of references,

even if valid, does not teach or suggest all of the claim elements recited in independent claims 1, 4, 26, and 36.

More specifically, independent claims 1, 4, 26, and 36 all recite methods by which a discrete light emitting element or display element may be formed on a substrate, such that, subsequent to the formation of the discrete element, the substrate is removed. In this way, an inexpensive, heat-resistant substrate may be used during high-temperature processes that may be advantageous in forming the discrete element. Then, after removal of the substrate, the discrete element may be joined to a separate material, such as a plastic film, as part of a low-temperature process (see, for example, specification, page 2, lines 17-21).

For example, independent claims 1, 4, and 26 recite:

“...forming a peeling layer on a first substrate... ***forming a light emitting element (display element)***...bonding a second substrate over said light emitting element (thereby completing formation of the light-emitting element/display element)...(and)...exposing the peeling layer to a gas containing halogen fluoride ***after bonding said second substrate*** to thereby remove said peeling layer and the first substrate...”

Similarly, independent claim 36 recites:

“...forming a peeling layer on a first substrate... forming ***a wiring and pixel electrode***...exposing the peeling layer to a gas containing halogen fluoride to thereby remove the peeling layer... ***forming a light emitting layer and a cathode on the pixel electrode***...bonding a second substrate on the cathode by using a first adhesive...(thereby completing formation of a light-emitting element, and)... ***removing the first substrate after bonding the second substrate***...”

Yamazaki '138 discloses techniques for forming a “thin-film transistor (TFT) having a high characteristic over a large area” and to thereby obtain a display panel (see column 2, lines 28-34). As admitted in the Office Action, Yamazaki '138 is primarily concerned with liquid crystal displays, and does not provide a “...teaching of an example including a light-emitting element” in a display device (Office Action, paragraph 8). Rather, the Office Action alleges that it would have been obvious to modify Yamazaki '138 to include a light-emitting element, for the stated reason that “it was well-known in the art that an EL display unit includes a light-emitting

element, as shown...by the admitted prior art" discussed at page 1, lines 15-25 of the present specification.

In forming a liquid crystal display, for example, Yamazaki discloses removing a substrate and associated silicon oxide film from a TFT structure, to thereby form a first panel of a pair of active matrix liquid crystal display panels (see Figure 3B; "...in FIG. 3B...*one* of the active matrix liquid-crystal display panels has been completed. (column 9, lines 42-44, emphasis added)). After the process of removing the substrate and associated silicon oxide film, formation of the liquid crystal display continues with the bonding of a separate one of the display panels and subsequent injection of a liquid crystal material into a gap between the panels (see FIG. 4, as well as column 9, lines 52-61).

As a result, even if Yamazaki '138 were modified as proposed in the Office Action to include an EL display unit having a light-emitting element, the result would not disclose or suggest all of the features recited in independent claims 1, 4, 26, and 36, i.e., that the EL display with the light-emitting element would be completed prior to removal of an initial, first-used substrate (and peeling layer).

Further, Yamazaki '456 is included in the rejection merely for the ostensible teaching that "...halogen fluoride gas...was a well known means for removing a silicon film" (see Office Action, paragraph 8), and therefore is not asserted as providing the teaching of forming a light-emitting element prior to removal of an initial, first-used substrate (and peeling layer), as claimed.

Thus, Applicant respectfully submits that the rejection of claims 1, 4, 26, and 36 under 35 U.S.C. 103(a) as being unpatentable over Yamazaki '138 in view of admitted prior art and Yamazaki '456 is improper for at least the above reasons. Therefore, Applicant submits that independent claims 1, 4, 26, and 36 are allowable for at least these reasons, as are dependent claims 2, 3, 5, 6, 16-19, 21-24, 27-30, 32-34 and 37-42.